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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/748,501	12/30/2003	Jiten C. Shah		7252

7590 08/26/2005
JITEN C. SHAH
516 CHERRYWOOD DRIVE
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EXAMINER

AHMAD, NASSER

ART UNIT	PAPER NUMBER
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1772

DATE MAILED: 08/26/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Interview Summary	Application No.	Applicant(s)	
	10/748,501	SHAH, JITEN C.	
	Examiner	Art Unit	
	Nasser Ahmad	1772	

All participants (applicant, applicant's representative, PTO personnel):

(1) Nasser Ahmad. (3)_____.

(2) Jiten Shah. (4)_____.

Date of Interview: 24 August 2005.

Type: a) ☒ Telephonic b) ☐ Video Conference
c) ☐ Personal [copy given to: 1) ☐ applicant 2) ☐ applicant's representative]

Exhibit shown or demonstration conducted: d) ☐ Yes e) ☒ No.
If Yes, brief description: _____.

Claim(s) discussed: 1-8.

Identification of prior art discussed: NONE.

Agreement with respect to the claims f) ☐ was reached. g) ☒ was not reached. h) ☐ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: See Continuation Sheet.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN ONE MONTH FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.


 NASSER AHMAD
 PRIMARY EXAMINER

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.

Examiner's signature, if required

Summary of Record of Interview Requirements

Manual of Patent Examining Procedure (MPEP), Section 713.04, Substance of Interview Must be Made of Record

A complete written statement as to the substance of any face-to-face, video conference, or telephone interview with regard to an application must be made of record in the application whether or not an agreement with the examiner was reached at the interview.

Title 37 Code of Federal Regulations (CFR) § 1.133 Interviews

Paragraph (b)

In every instance where reconsideration is requested in view of an interview with an examiner, a complete written statement of the reasons presented at the interview as warranting favorable action must be filed by the applicant. An interview does not remove the necessity for reply to Office action as specified in §§ 1.111, 1.135. (35 U.S.C. 132)

37 CFR §1.2 Business to be transacted in writing.

All business with the Patent or Trademark Office should be transacted in writing. The personal attendance of applicants or their attorneys or agents at the Patent and Trademark Office is unnecessary. The action of the Patent and Trademark Office will be based exclusively on the written record in the Office. No attention will be paid to any alleged oral promise, stipulation, or understanding in relation to which there is disagreement or doubt.

The action of the Patent and Trademark Office cannot be based exclusively on the written record in the Office if that record is itself incomplete through the failure to record the substance of interviews.

It is the responsibility of the applicant or the attorney or agent to make the substance of an interview of record in the application file, unless the examiner indicates he or she will do so. It is the examiner's responsibility to see that such a record is made and to correct material inaccuracies which bear directly on the question of patentability.

Examiners must complete an Interview Summary Form for each interview held where a matter of substance has been discussed during the interview by checking the appropriate boxes and filling in the blanks. Discussions regarding only procedural matters, directed solely to restriction requirements for which interview recordation is otherwise provided for in Section 812.01 of the Manual of Patent Examining Procedure, or pointing out typographical errors or unreadable script in Office actions or the like, are excluded from the interview recordation procedures below. Where the substance of an interview is completely recorded in an Examiners Amendment, no separate Interview Summary Record is required.

The Interview Summary Form shall be given an appropriate Paper No., placed in the right hand portion of the file, and listed on the "Contents" section of the file wrapper. In a personal interview, a duplicate of the Form is given to the applicant (or attorney or agent) at the conclusion of the interview. In the case of a telephone or video-conference interview, the copy is mailed to the applicant's correspondence address either with or prior to the next official communication. If additional correspondence from the examiner is not likely before an allowance or if other circumstances dictate, the Form should be mailed promptly after the interview rather than with the next official communication.

The Form provides for recordation of the following information:

- Application Number (Series Code and Serial Number)
- Name of applicant
- Name of examiner
- Date of interview
- Type of interview (telephonic, video-conference, or personal)
- Name of participant(s) (applicant, attorney or agent, examiner, other PTO personnel, etc.)
- An indication whether or not an exhibit was shown or a demonstration conducted
- An identification of the specific prior art discussed
- An indication whether an agreement was reached and if so, a description of the general nature of the agreement (may be by attachment of a copy of amendments or claims agreed as being allowable). Note: Agreement as to allowability is tentative and does not restrict further action by the examiner to the contrary.
- The signature of the examiner who conducted the interview (if Form is not an attachment to a signed Office action)

It is desirable that the examiner orally remind the applicant of his or her obligation to record the substance of the interview of each case. It should be noted, however, that the Interview Summary Form will not normally be considered a complete and proper recordation of the interview unless it includes, or is supplemented by the applicant or the examiner to include, all of the applicable items required below concerning the substance of the interview.

A complete and proper recordation of the substance of any interview should include at least the following applicable items:

- 1) A brief description of the nature of any exhibit shown or any demonstration conducted,
- 2) an identification of the claims discussed,
- 3) an identification of the specific prior art discussed,
- 4) an identification of the principal proposed amendments of a substantive nature discussed, unless these are already described on the Interview Summary Form completed by the Examiner,
- 5) a brief identification of the general thrust of the principal arguments presented to the examiner,
(The identification of arguments need not be lengthy or elaborate. A verbatim or highly detailed description of the arguments is not required. The identification of the arguments is sufficient if the general nature or thrust of the principal arguments made to the examiner can be understood in the context of the application file. Of course, the applicant may desire to emphasize and fully describe those arguments which he or she feels were or might be persuasive to the examiner.)
- 6) a general indication of any other pertinent matters discussed, and
- 7) if appropriate, the general results or outcome of the interview unless already described in the Interview Summary Form completed by the examiner.

Examiners are expected to carefully review the applicant's record of the substance of an interview. If the record is not complete and accurate, the examiner will give the applicant an extendable one month time period to correct the record.

Examiner to Check for Accuracy

If the claims are allowable for other reasons of record, the examiner should send a letter setting forth the examiner's version of the statement attributed to him or her. If the record is complete and accurate, the examiner should place the indication, "Interview Record OK" on the paper recording the substance of the interview along with the date and the examiner's initials.

Continuation of Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: Applicant faxed a copy of the proposed amendment on 08/23/05. See attached copy. Applicant was informed that the proposed amendment changed the invention claimed from product claims to the method of using the product, which has not been considered before. Further, the application is under FINAL. As such, the proposed amendment will not be considered when it is filed formally. Applicant was also advised to consider RCE for continuing prosecution on the product claims as originally presented or filing divisional application to have the new invention considered.

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23. August, 2005

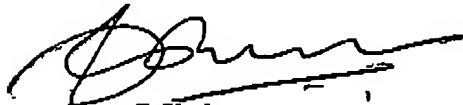
Mr. Nasser Ahmad
Primary Examiner
Art Unit 1772
USPTO

Re: Application # 10/748,501

Mr. Ahmad,

I appreciate you speaking with this morning. I am faxing the revised documents for your review. As discussed, I will call you tomorrow morning at 10:00 a.m. your time. Once again I appreciate your feedback.

Thanks,


Jiten C Shah

Total # of pages: 10

UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 10/748,501 Confirmation No. 7252
Applicant : Jiten C. Shah
Filed : 12/30/2003
TC/A.U. : 1772
Examiner : Nasser Ahmad

Title : SHOPPING AND REFERENCE LIST APPARATUS

AMENDMENT

Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

Sir:

In response to the Office action of DATE, please amend the above-identified application as follows:

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks/Arguments begin on page 4 of this paper.

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Amendments to the Claims:

This listing of claims will replace all prior versions, and listings, of claims in the application:

Listing of Claims:

Claim 1. (currently amended) ~~An item list apparatus for use by a user~~ A method for enabling organized shopping, comprising the steps of:

preparing a list of items for shopping on a sheet having a top edge and a bottom edge, and a front surface and a back surface;

wherein said list of items for shopping is written on said front surface; providing space for creating a list of items;

wherein said sheet has attaching means for attaching said top edge to said bottom edge; and

arranging said sheet folded in the form of a loop at the time of shopping; by said user once the list of items is created and the user is ready to use said list of items by attaching said top edge to said bottom edge using said attaching means;

wherein said loop has an outer side and an inner side; and

wherein said front surface having said list of items forms the outer side of said loop.

Claim 2. (currently amended) The ~~apparatus~~ method of claim 1, wherein said attaching means comprises a pressure sensitive adhesive applied on the back surface of

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said sheet in close proximity of said top edge; and wherein a plurality of said sheets are attached together in the form of a pad using said pressure sensitive adhesive.

Claim 3. (currently amended) The ~~apparatus~~ method of claim 2, wherein said pad is placed on a refrigerator or a similar surface.

Claim 4. (currently amended) The ~~apparatus~~ method of claim 1, wherein said sheet is organized in a tabular format comprising a plurality of cells on the front surface; and wherein each of said plurality of cells comprises a category heading for the items to be listed and space for listing said items. ~~are listed in said space on said sheet of paper by one or more users on a real time basis as the need arises until the time of shopping whereby creating a completed shopping list, wherein at the time of shopping the user wraps said completed shopping list in the form of a loop around said user's wrist or around the handle of the shopping cart, in a manner such that the front side of the list is on the outer side of the loop, by attaching said top edge with the adhesive to said bottom edge.~~

Claim 5. (currently amended) The ~~apparatus~~ method of claim 1, wherein ~~said list of items is a shopping list and~~ a food pyramid is superimposed on said sheet enabling the user in shopping for a balanced diet.

Claim 6. (canceled)

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Claim 7. (currently amended) The ~~apparatus~~ method of claim 1, wherein said list of items is ~~a for shopping list~~ is prepared by one or more persons on a real time basis as the need arises until the time of shopping.

Claim 8. (currently amended) The ~~apparatus~~ method of claim 1, wherein said sheet is made of paper.

Claim 9. (canceled)

Claim 10. (withdrawn) A method of creating a list of items for ease of use by a user, comprising the steps of:

creating a list of items on a sheet, said sheet having a top edge and a bottom edge, and a front side and a back side; and

forming a loop from said sheet by attaching the top edge of said sheet with the bottom edge of said sheet;

wherein said front side forms the outer side of said loop and said back side forms the inner side of said loop; and

wherein said list of items is located on said outer side.

Claim 11. (withdrawn) The method of claim 10, wherein said list of items is a shopping list.

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Claim 12. (withdrawn) The method of claim 10, wherein said list of items is a reference list.

Claim 13. (withdrawn) The method of claim 10, wherein said sheet is made of paper; and where in said sheets of paper are organized in the form of a pad.

Claim 14. (currently amended) The method of claim [[10]] 1, wherein said loop is formed around a wrist of the shopper.

Claim 15. (currently amended) The method of claim [[10]] 1, wherein said loop is formed around the handle of a shopping cart.

Claim 16. (withdrawn) The method of claim 10, wherein said sheet is pre-formatted for making entries in said shopping list.

Claim 17. (withdrawn) The method of claim 13, wherein said pad is attached to a refrigerator or to a similar surface.

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REMARKS/ARGUMENTS

Claims

Claims 1-8 and 10-17 are pending in the application. Claims 1-8 stand rejected on prior art grounds. Claims 10-17 are withdrawn from consideration due to restriction. Applicant has amended claims 1-5 and 7-8 in order to overcome the prior art rejections; and canceled claim 6. Applicant has also amended claims 14-15 to make them dependent upon independent claim 1. Applicant has withdrawn claims 10-13 and 16-17. Please enter amended claims 1-5, 7-8 and 14-15.

35 USC § 102 Rejections

Claims 1, 4, 6 and 8

The Examiner has rejected claims 1, 4, 6 and 8 under 35 U.S.C. 102(b) as being anticipated by Solon (4991337).

Regarding claim 1, the applicant has amended independent claim 1 to more particularly point out and distinctly claim the invention and distinguish it from Solon. Upon examination of the details discussed below it will become evident that the invention of claim 1 is novel over, and not anticipated by Solon. Currently amended independent claim 1 reads:

Claim 1. (currently amended) A method for enabling organized shopping, comprising the steps of:
 preparing a list of items for shopping on a sheet having a top edge and a bottom edge, and a front surface and a back surface;
 wherein said list of items for shopping is written on said front surface;
 wherein said sheet has attaching means for attaching said top edge to said bottom edge; and
 arranging said sheet in the form of a loop at the time of shopping; by attaching said top edge to said bottom edge using said attaching means;
 wherein said loop has an outer side and an inner side; and
 wherein said front surface having said list of items forms the outer side of said loop.

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It is submitted that Solon neither discloses nor anticipates the invention of claim 1 as claimed herein for the following reasons. As disclosed, independent claim 1 has been amended into a method claim which recites "preparing a list of items for shopping on a sheet" and "arranging said sheet in the form of a loop at the time of shopping" (for support see specification Figures 1, 4 and 5). Thus, claim 1 discloses the method for enabling organized shopping. In contrast, Solon discloses an identification bracelet and not a method enabling organized shopping. Consequently, the applicant respectfully submits that the amended independent claim 1 is certainly novel and patentable over and neither anticipated nor suggested by Solon and the anticipation rejection of claim 1 under 35 U.S.C. 102(b) should be withdrawn.

Regarding claims 4 and 8, each of these claims depends, from independent claim 1. Each of claims 4 and 8 has been amended in view of amendment to claim 1. In view of the remarks presented above in support of withdrawal of the anticipation rejection of claim 1 under U.S.C. 102(b), the applicant respectfully submits that the Examiner's grounds for rejection of claims 4 and 8 under U.S.C. 102(b) are moot, and requests that the anticipation rejection of claims 4 and 8 under U.S.C. 102(b) should also be withdrawn.

Regarding claim 6, the applicant has canceled claim 6.

Claims 2 and 3

Regarding claims 2 and 3, the Examiner has not given patentable weight to these claims. However, amended claim 2 depends from claim 1, and amended claim 3 from claim 2. In view of the remarks presented above in support of withdrawal of the anticipation rejection of claim 1 under U.S.C. 102(b), the applicant respectfully submits that the Examiner's grounds for rejection of claims 2 and 3 under U.S.C. 102(b) are moot, and requests that the anticipation rejection of claims 2 and 3 under U.S.C. 102(b) should also be withdrawn.

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35 USC § 103 Rejections

Claims 1-8

The Examiner has rejected claims 1-8 under 35 U.S.C. 103(a) as being unpatentable over Solon (4991337).

Regarding claim 1, the applicant respectfully traverses the Examiner's rejection under U.S.C. 103(a). Following the arguments the same as those presented earlier, the applicant respectfully submits that claim 1 discloses the method for enabling organized shopping, while Solon discloses an identification bracelet and not a method enabling organized shopping. Consequently, the applicant respectfully submits that the amended independent claim 1 is certainly novel and patentable over and not obvious from Solon and the obviousness rejection of claim 1 under 35 U.S.C. 103(a) should be withdrawn.

Regarding claims 2-5 and 7-8, each of these claims depends, either directly or through an intervening claim, from independent claim 1. Each of claims 2-5 and 7-8 has been amended in view of amendment to claim 1. In view of the remarks presented above in support of withdrawal of the obviousness rejection of claim 1 under U.S.C. 103(a), the applicant respectfully submits that the Examiner's grounds for rejection of claims 2-5 and 7-8 under U.S.C. 103(a) are moot, and requests that the obviousness rejection of claims 2-5 and 7-8 under U.S.C. 103(a) should also be withdrawn.

Regarding claim 6, the applicant has canceled claim 6.

Claims 14 and 15

Regarding claims 14 and 15, the applicant has amended these claims such that each of these claims depends from claim 1. In view of the remarks presented above in support of withdrawal of the anticipation rejection under U.S.C. 102(b) and the obviousness rejection under U.S.C. 103(a) of claim 1, the applicant respectfully submits that amended claims 14 and 15 should be allowed.

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Favorable consideration of the amendment and allowance of all claims is requested.

Respectfully submitted.

Date: _____ By: _____
Jiten C. Shah,
Applicant

CERTIFICATE OF TRANSMISSION UNDER 37 CFR § 1.8

The undersigned hereby certifies that the foregoing Amendment is being transmitted by facsimile to number NEW NUMBER addressed to: Commissioner for Patents; Attn. Examiner Nasser Ahmad, on this ___ day of August, 2005.

Jiten C. Shah,
Applicant

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